
STATUTORY INSTRUMENTS

2013 No. 3208

The Postal Administration Rules 2013

PART 11

COURT PROCEDURE AND PRACTICE

CHAPTER 3

Enforcement Procedures

Enforcement of court orders

112.—(1) In any postal administration proceedings under the Rules, orders of the court may be enforced in the same manner as a judgment to the same effect.

(2) Where a warrant for the arrest of a person is issued by the High Court, the warrant may be discharged by the county court where the person who is the subject of the warrant—

- (a) has been brought before a county court exercising postal administration jurisdiction; and
- (b) has given to the county court an undertaking which is satisfactory to the county court to comply with the obligations that apply to that person under the provisions of the 1986 Act or the Rules.

Orders enforcing compliance with the Rules

113.—(1) The court may, on application by the postal administrator, make such orders as it thinks necessary for the enforcement of obligations falling on any person in accordance with—

- (a) paragraph 47 (duty to submit statement of affairs in postal administration), or
- (b) section 235 of the 1986 Act⁽¹⁾ (duty of various persons to co-operate with postal administrator).

(2) An order of the court under this Rule may provide that all costs of and incidental to the application for it shall be borne by the person against whom the order is made.

Warrants under section 236 of the 1986 Act

114.—(1) A warrant issued by the court under section 236 of the 1986 Act (inquiry into insolvent company's dealings) shall be addressed to such officer of the High Court as the warrant specifies, or to any constable.

(2) The persons referred to in section 236(5) of the 1986 Act (court's powers of enforcement) as the prescribed officer of the court are the tipstaff and the tipstaff's assistants of the court.

(3) In this Chapter references to property include books, papers and records.

(1) 1986 c. 45; section 235(4)(a) was amended by the Enterprise Act 2002 c. 40, Schedule 17, paragraph 24.

(4) When a person is arrested under a warrant issued under section 236 of the 1986 Act, the officer arresting them shall as soon as reasonably practicable bring them before the court issuing the warrant in order that they may be examined.

(5) If they cannot immediately be brought up for examination, the officer shall deliver them into the custody of the governor of the prison named in the warrant (or where that prison is not able to accommodate the arrested person, the governor of such other prison with appropriate facilities which is able to accommodate the arrested person), who shall keep them in custody and produce them before the court as it may from time to time direct.

(6) After arresting the person named in the warrant, the officer shall as soon as reasonably practicable report to the court the arrest or delivery into custody (as the case may be) and apply to the court to fix a venue for the person's examination.

(7) The court shall appoint the earliest practicable time for the examination, and shall—

- (a) direct the governor of the prison to produce the person for examination at the time and place appointed, and
- (b) as soon as reasonably practicable give notice of the venue to the person who applied for the warrant.

(8) Any property in the arrested person's possession which may be seized shall be—

- (a) lodged with, or otherwise dealt with as instructed by, whoever is specified in the warrant as authorised to receive it, or
- (b) kept by the officer seizing it pending the receipt of written orders from the court as to its disposal,

as may be directed by the court.